

INTERNATIONAL SEARCH REPORT

Intern Application No
PCT/NL 03/00583

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61P35/00 A61P35/02 A61K39/395 C07K14/47

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

MEDLINE, BIOSIS, EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01 77340 A (MERCK PATENT GMBH ;DUECKER KLAUS (DE)) 18 October 2001 (2001-10-18) page 1, line 27 -page 2, line 14 page 13, line 22 -page 14, line 11 page 16, line 24-26 page 19, line 26-32 claims	1-27, 29-45
X	LI J ET AL: "Leukaemia disease genes: Large-scale cloning and pathway predictions" NATURE GENETICS, NATURE AMERICA, NEW YORK, US, vol. 23, no. 3, November 1999 (1999-11), pages 348-353, XP002223354 ISSN: 1061-4036 the whole document	46-51

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

Z document member of the same patent family

Date of the actual completion of the international search

9 January 2004

Date of mailing of the international search report

20/01/2004

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99 38525 A (BIOGEN INC ;TSIAGBE VINCENT (US); BROWNING JEFFREY (US); THORBECKE) 5 August 1999 (1999-08-05) page 5, line 26 -page 6, line 8	2-23,25, 27,29,30
X	LENKKERI U ET AL: "STRUCTURE OF THE GENE FOR CONGENITAL NEPHROTIC SYNDROME OF THE FINNISH TYPE (NPHS1) AND CHARACTERIZATION OF MUTATIONS" AMERICAN JOURNAL OF HUMAN GENETICS, UNIVERSITY OF CHICAGO PRESS, CHICAGO,, US, vol. 64, 1999, pages 51-61, XP002928919 ISSN: 0002-9297 abstract page 58, left-hand column, line 381 -right-hand column, line 15	35,37,38

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Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☒ Claims Nos.: 28
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 30-32 (complete), are directed to a method of treatment practised on the human/animal body, and claims 39-41 (part) are directed to a diagnostic method practised on the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box I.2

Claims Nos.: 28

Present claim 28 relates to a method for the preparation of therapeutical compositions for the treatment of inflammatory diseases. This claim is not supported by the description as required by Article 6 PCT. The claims cover all methods for the preparation of therapeutical compositions having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for none of such methods, since the application focus on genes possibly linked/inducing tumours. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the method by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has not been carried out.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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Inter: application No
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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0177340	A	18-10-2001	CA 2405725 A1	18-10-2001
			WO 0177340 A1	18-10-2001
			EP 1263970 A1	11-12-2002
			JP 2003530112 T	14-10-2003
WO 9938525	A	05-08-1999	AT 253930 T	15-11-2003
			AU 752710 B2	26-09-2002
			AU 2348899 A	16-08-1999
			BR 9908214 A	28-11-2000
			CA 2319698 A1	05-08-1999
			CN 1289252 T	28-03-2001
			DE 69912743 D1	18-12-2003
			EE 200000446 A	15-08-2001
			EP 1051187 A1	15-11-2000
			HU 0102363 A2	28-10-2001
			JP 2002501902 T	22-01-2002
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			NZ 506529 A	20-12-2002
			PL 342063 A1	21-05-2001
			SK 11302000 A3	18-01-2001
			TR 200002203 T2	21-12-2000
			TR 200101693 T2	21-06-2002
			WO 9938525 A1	05-08-1999